

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

LEGACY CAPITAL LTD.,

Defendant.

Adv. Pro. No. 10-05286 (CGM)

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

RAFAEL MAYER, et al.,

Defendants.

Adv. Pro. No. 20-01316 (CGM)

STIPULATION AND ORDER

Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa-III (“SIPA”), and the chapter 7 estate of Bernard L. Madoff, and Defendants Legacy Capital Ltd., Rafael Mayer, David Mayer, Prince Resources LDC, Prince Capital Partners LLC and Khronos Liquid Opportunities Fund Ltd. (collectively, the “Defendants”) (together with the Trustee, the “Parties”), by and through its undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on February 24, 2022, the Trustee filed a motion to consolidate two separate adversary proceedings, *Picard v. Legacy Capital Ltd. (In re BLMIS)*, Adv. Pro. No. 10-05286 (CGM) (Bankr. S.D.N.Y.) and *Picard v. Mayer (In re BLMIS)*, Adv. Pro. No. 20-01316 (CGM) (Bankr. S.D.N.Y.), for all pre-trial matters pursuant to Rule 42 of the Federal Rules of Civil Procedure as made applicable by Rule 7042 of the Federal Rules of Bankruptcy Procedure (the “Motion”);

WHEREAS, the hearing date for the Motion is currently scheduled for March 16, 2022 at 10:00 a.m. (EST) with the Trustee having set a deadline to file any objection to the Motion (“Objection”) by March 4, 2022 and the Trustee having set a deadline to reply to those Objections, if any (“Reply”), by March 11, 2022; and

WHEREAS, the Parties have agreed to adjourn the hearing date on the Motion and extend the briefing schedule as to the Objection and Reply deadlines.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel that:

1. The deadline for Defendants to file their Objection is adjourned from March 4, 2022 to March 23, 2022; and

2. The deadline for the Trustee to file his Reply is adjourned from March 11, 2022 to March 30, 2022; and
3. The hearing date for the Motion is adjourned from March 16, 2022 to April 7, 2022 at 2:00 p.m. (EST).

Dated: March 4, 2022
New York, New York

Dated: March 4, 2022
New York, New York

/s/ David J. Sheehan

BAKER & HOSTETLER LLP

45 Rockefeller Plaza, 11th Floor

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Oren J. Warshavsky

Jason S. Oliver

Tatiana Markel

Carrie Longstaff

Peter B. Shapiro

dsheehan@bakerlaw.com

owarshavsky@bakerlaw.com

joliver@bakerlaw.com

tmarkel@bakerlaw.com

clongstaff@bakerlaw.com

pshapiro@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the chapter 7 estate of
Bernard L. Madoff*

/s/ Eric B. Fisher

BINDER & SCHWARTZ LLP

366 Madison Avenue, Sixth Floor

New York, New York 10017

Telephone: (212) 510-7008

Facsimile: (212) 510-7299

Eric B. Fisher

Lindsay A. Bush

Sarah Dowd

efisher@binderschwartz.com

lbush@binderschwartz.com

sdowd@binderschwartz.com

*Attorneys for Legacy Capital Ltd. and Rafael
Mayer*

Dated: March 4, 2022
New York, New York

Dated: March 4, 2022
Miami, Florida

/s/ Daniel H. Tabak

COHEN & GRESSER LLP

800 Third Avenue
New York, New York 10022
Telephone: (212) 957-7600
Facsimile: (212) 510-7299
Daniel H. Tabak
dtabak@cohengresser.com

*Attorneys for Prince Capital Partners LLC and
Prince Resources LDC*

/s/ Eugene E. Stearns

STEARNS WEAVER MILLER

**WEISSLER ALHADEFF &
SITTERSON, P.A.**

Museum Tower
150 West Flagler Street
Suite 2200
Telephone: (305) 789-3200
Facsimile: (305) 789-3395
Miami, Florida 33130
Eugene E. Stearns (admitted *pro hac vice*)
Carlos J. Canino (admitted *pro hac vice*)
Matthew M. Graham (admitted *pro hac vice*)
estearns@stearnsweaver.com
ccanino@stearnsweaver.com
mgraham@stearnsweaver.com

Attorneys for David Mayer

Dated: March 4, 2022
White Plains, New York

/s/ Daniel S. Alter

YANKWITT LLP

140 Grand Street, Suite 705
White Plains, New York 10601
Tel.: (914) 686-1500
Fax: (914) 487-5000
Daniel S. Alter
daniel@yankwitt.com

*Attorneys for Khronos Liquid Opportunities
Fund Ltd.*

SO ORDERED.

**Dated: March 7, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**